

THOMAS E. FRANKOVICH (State Bar No. 074414)
 JENNIFER L. STENEGER (State Bar No. 202985)
 THOMAS E. FRANKOVICH,
A Professional Law Corporation
 2806 Van Ness Avenue
 San Francisco, CA 94109
 Telephone: 415/674-8600
 Facsimile: 415/674-9900

Attorneys for Plaintiffs
 NICOLE MOSS
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

NICOLE MOSS, an individual; and
 DISABILITY RIGHTS, ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,
 Plaintiffs,
 v.
 MANILA BAY CUISINE; LAND MARK
 TOWNE CENTER, LLC., a Delaware
 limited liability company; AGLOS, LLC., a
 Delaware limited liability company;
 DINKY, LLC., a Delaware limited liability
 company; GF LIBERTY, LLC., a Delaware
 limited liability company; CRIMSUN INC.,
 a California corporation,
 Defendants.

CASE NO. C 06-6356 SBA
**NOTICE OF MOTION AND MOTION TO
 ALTER OR AMEND JUDGMENT**
 [Fed. R. Civ. P. 59(e)]
Date: October 30, 2007
Time: 1:00 PM
Judge: Hon. Sandra B. Armstrong
Room: Courtroom 3, 3rd Floor
**Location: 1301 Clay Street,
 Oakland, California**
Telephone: (510) 637-3541

NOTICE IS HEREBY GIVEN that on Tuesday, October 30, 2007, at 1:00 p.m., or as
 soon as the matter may be heard, in Courtroom #3, 1301 Clay Street, Oakland, California,
 plaintiffs NICOLE MOSS and DISABILITY RIGHTS ENFORCEMENT, EDUCATION
 SERVICES: HELPING YOU HELP OTHERS will move this Court to alter or amend its
 Order of Dismissal.

1 As grounds for this request, plaintiffs state there is a non-frivolous explanation for their
2 failure to comply with the Court's scheduling order and failure to prosecute.

3 This motion is based on this Notice of Motion and Motion, the Memorandum of Points
4 and Authorities filed herewith, the declaration of Maria V. Martinez, the pleadings and papers
5 on file herein, and upon such other matters as may be presented to the Court at the time of the
6 hearing.

7 Dated: September 20, 2007

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

8
9 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
10 Attorneys for Plaintiffs NICOLE MOSS and
11 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28